

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAAK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

No.: 03-CV-11566 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendant.

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

No.: 04-CV-10411 (PBS)

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

No.: 04-CV-10477 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING

CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

**DECLARATION OF PATRICK T. EGAN IN SUPPORT OF
PLAINTIFFS' COUNSEL'S MOTION FOR PROTECTIVE ORDER**

Patrick T. Egan declares pursuant to 28 U.S.C. § 1746 that:

1. I am a partner at Berman DeValerio, Pease, Tabacco, Burt & Pucillo, co-lead counsel for Class Plaintiffs in *Quaak v. Dexia*, 03-11566, listed above. Unless otherwise indicated, I have personal knowledge of the matters addressed in this declaration. I am over the age of 18 and am fully competent to testify.

2. I submit this declaration in support of Plaintiffs' Counsel's Motion for Protective Order.

3. True and correct copies of the following documents are attached hereto as indicated:

- a. This Court's December 22, 2005 Order On Dexia Bank Belgium's Motion To Compel Documents and Interrogatory Reponses From Class Plaintiffs, is attached hereto as Exhibit A.
- b. Letter dated April 5, 2006 from Jeff E. Butler, Esq. of Clifford Chance US LLP, counsel for Dexia, to Plaintiffs' Counsel is attached hereto as Exhibit B.
- c. My letter dated April 10, 2006 to Jeff E. Butler, Esq. of Clifford Chance US LLP, counsel for Dexia, is attached hereto as Exhibit C.

d. Copies of the following Notices of Deposition are attached hereto as Exhibit D:

1. Notice of Deposition Of Gregory P. Joseph;
2. Notice of Deposition Of Bernstein Litowitz Berger & Grossmann LLP;
3. Notice of Deposition Of Boies Schiller & Flexner LLP;
4. Notice of Deposition Of Cauley Bowman Carney & Williams PLLC;
5. Notice of Deposition Of Berman DeValerio Pease Tabacco Burt & Pucillo;
6. Notice of Deposition Of Shalov Stone & Bonner LLP;
7. Notice of Deposition Of James Mintz Group Inc.

e. My letter dated May 17, 2006 to Jeff E. Bulter, Esq. of Clifford Chance US LLP, counsel for Dexia, is attached hereto as Exhibit E.

f. Letter dated February 28, 2006 from Jeff E. Bulter, Esq. of Clifford Chance US LLP, counsel for Dexia, to me is attached hereto as Exhibit F.

g. Class Plaintiffs' Amended Reponses To Dexia Bank Belgium's First Interrogatories (dated June 24, 2005) is attached hereto as Exhibit G;

h. Class Plaintiffs' Amended Responses And Objections To Dexia Bank Belgium's Second Set Of Interrogatories (dated November 1, 2005) is attached hereto as Exhibit H;

i. Class Plaintiffs' Supplemental Response To Dexia Bank Belgium's First Interrogatories (No. 6) (dated November 15, 2005) is attached hereto as Exhibit I;

j. Class Plaintiffs' Amended And Supplemental Responses And Objections To Dexia Bank Belgium's Third Set of Interrogatories (dated April 6, 2006) is attached hereto as Exhibit J;

k. Stonington Plaintiffs' Responses And Objections To Dexia's Bank Belgium's First Set of Interrogatories (dated September 20, 2005) is attached hereto as Exhibit K;

l. Stonington Plaintiffs' Supplemental Responses And Objections To Dexia Bank Belgium's First Set of Interrogatories (dated November 1, 2005) is attached hereto as Exhibit L;

m. Filler Plaintiffs' Amended Objections And Answers To Defendant Dexia Bank Belgium's First Set Of Interrogatories To The TRA Rights Trust (dated November 1, 2005) is attached hereto as Exhibit M;

n. Baker Plaintiffs' Responses And Objections To Dexia Bank Belgium's First Set of Interrogatories (dated September 20, 2005) is attached hereto as Exhibit N;

o. Baker Plaintiffs' Supplemental Responses And Objections To Dexia Bank Belgium's First Set of Interrogatories (dated November 1, 2005) is attached hereto as Exhibit O;

4. Exhibits G-O of this Declaration are not being publicly-filed with the Court because they contain Plaintiffs' responses and objection to Interrogatories propounded by Dexia and detail Plaintiffs' counsel's investigation of potential claims. As such, they have been designated as "Confidential Information" subject to the terms of the Stipulation and Order Governing the Treatment of Confidential Information entered in each of the above-captioned actions on May 31, 2005 (the "Confidentiality Order"). Under the terms of the Confidentiality Order, discovery materials that the producing party has designated as "Confidential Information" must be filed with the Court under seal. Accordingly, Exhibits G-O are subject to Plaintiffs' accompanying motion for leave to file motion papers under seal.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Boston, Massachusetts this 19th day of May, 2006.

/s/ Patrick T. Egan

Patrick T. Egan, BBO # 637477